

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

SHEMIKA N. SKILLINGS,

Plaintiff,

v.

J. CHISUM, A. LAUDERDALE, and
C. CHAMBERS,

Defendants.

Case No. 17-CV-572-TCK-JFJ

OPINION AND ORDER

Before the Court is the Motion for Summary Judgment filed by Defendants J. Chisum, A. Lauderdale, and C. Chambers (“collectively defendants”)(Doc. 116). The defendants originally filed a Motion to Dismiss and argued that Plaintiff Shemika Skillings’s (“Ms. Skillings”) Third Amended Complaint (Doc. 115) failed to state a claim upon which relief could be granted. Ms. Skillings filed a Response opposing the motion (Doc. 123), and the defendants filed a Reply. (Doc. 129).

On July 28, 2021 this Court converted the Motion to Dismiss to a Motion for Summary Judgment and allowed the parties to file evidentiary materials in support of their Motion for Summary Judgment. (Doc. 135). Defendants filed their supplemental material on August 24, 2021. (Docs. 141 and 142). Thereafter, Plaintiff filed a Motion for Extension of Time to Respond to the Defendants’ supplements. (Doc. 143). The Motion for Extension was granted on September 13, 2021. (Doc. 144). Plaintiff was granted until September 21, 2021 to file a Response to Defendants’ evidentiary materials. *Id.*

On September 21, 2021 Plaintiff filed a Second Motion for Extension of Time to Respond to Defendants’ Evidentiary Materials. (Doc. 145). The Court granted this Second Motion for Extension on September 28, 2021. (Doc. 146).

On October 5, 2021, Plaintiff filed a Third Motion for Extension of Time to Respond to Defendants' Evidentiary Materials. (Doc. 147). The Court granted this Third Motion for Extension on October 6, 2021. (Doc. 148).

The Plaintiff was granted a final extension of time to respond to Defendants' Motion for Summary Judgment (Doc. 116) on December 2, 2021, and was advised that failure to comply with the Order could result in sanctions, which included dismissal without prejudice.

In this case the Plaintiff failed to comply with four orders of the Court. As of the date of this Order, the Plaintiff has not responded to Defendants' Motion for Summary Judgment. (Doc. 116).

Rule 41(b) of the Federal Rules of Civil Procedure provides as follows:

(b) For failure of the plaintiff to prosecute **or to comply with these rules or any order of court**, a defendant may move for dismissal of an action or any claim against the defendant. Unless the court in its order for dismissal otherwise specifies, a dismissal under this subdivision and any dismissal not provided for this rule, other than a dismissal for lack of jurisdiction, for improper venue, or for failure to join a party under Rule 19, operates as an adjudication upon the merits.

(Emphasis added)

In light of the Plaintiff's failure to comply with this Court's December 2, 2021 Order, and the Court's previous three Orders, the Court dismisses this action without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED, this 7th day of December, 2021.


TERENCE C. KERN
United States District Judge